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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/419,748 10/16/99 LUCIANO

R 732,241

EXAMINER

021707 GM12/0412  
IAN F BURNS  
P O BOX 20038  
RENO NV 89515-0038

ART UNIT FLORES PAPER NUMBER

4

DATE MAILED: 24

04/12/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**09/419,748**

Applicant(s)  
**Luciano et al.**

Examiner  
**Flores-Sánchez, Omar**

Group Art Unit  
**3724**



☐ Responsive to communication(s) filed on \_\_\_\_\_.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-18 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-9 and 11-18 is/are rejected.

☒ Claim(s) 10 is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

Art Unit: 3724

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 2 and 3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites the limitation "the first edge". There is insufficient antecedent basis for this limitation in the claim.

Claim 3 recites the limitation "the strip of vouchers" and "second edge". There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Objections***

3. Claim 1 is objected to because of the following informalities: "from a from", line 1. Appropriate correction is required.

Art Unit: 3724

*Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-3, 9, 11, 12, 17 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Saito et al.

Saito et al. discloses (Fig. 4-5) the invention including a tear bar 16 comprising a first side portion (see Fig. 4, right corner edge) and a second side portion (see Fig. 4, left corner edge), a tapered surface, a center portion, a substantially lateral cross-section, a strip of media 6 having a surface, a first and second side, and a center portion, a plurality of perforations are arranged substantially in a line and a plurality of bridges 6a, and corner treatments.

6. Claims 1, 4, 8, 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Horniak et al.

Horniak et al. discloses (Fig. 1-5) the invention including a tear bar comprising a first side portion 50a and a second side portion 50b, a strip of media 16 having a surface, a first and second side, and a center portion, a roughened surfaces 51a and 51b, a substantially lateral cross-section and an integrally formed shaft 54.

Art Unit: 3724

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horniak et al. in view of Irvine.

Horniak et al. discloses the invention substantially as claimed except for a center portion and a rounded surface. However, Irvine teach the use of a center portion 5 having a rounded surface for the purpose of separating sheets (Fig. 1). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Horniak's tear bar by providing the center portion as taught by Irvine in order to improve the severing of the strip of media at the center portion of the surface.

Regarding claim 6, Horniak teach the use of roughened surface.

9. Claims 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al. in view of J. J. Kessler.

Saito et al. discloses the invention substantially as claimed except for at least six bridges of connecting material. However, Kessler teach the use of bridges of connecting material for the purpose of helping the separation of the sheets. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Saito's strip of media by

Art Unit: 3724

providing the more bridges as taught by Kessler in order to improve the severing of the strip of media.

*Allowable Subject Matter*

10. Claim 10 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

*Conclusion*

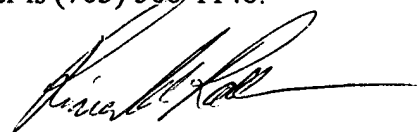
11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. J. Q. Sherman et al., L. F. Hageman et al., Kuckhermann, Kimura et al., Hamel, Suuronen et al., Buch, Jr, Nishishita et al. and Baker are cited to show related device.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Omar Flores-Sánchez whose telephone number is (703)308-0167. The examiner can normally be reached on Monday through Thursday from 8:30 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada, can be reached on (703) 308-2187. The fax number for the organization where this application or proceeding is assigned is (703) 305-3579.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

OFS  
April 10, 2000



Rinaldi I. Rada  
Supervisory Patent Examiner  
Group 3700